

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

ANTHONY TORRES,

Plaintiff(s),

v.

GUSTAVO CONCHAS, et al.,

Defendant(s).

Case No. 2:21-cv-00046-JAD-NJK

**Order**

[Docket No. 20]

Pending before the Court is the parties' proposed discovery plan. *See* Docket No. 20. In violation of the local rules, the proposed discovery plan does not state the date on which Defendant answered or otherwise first appeared. *But see* Local Rule 26-1(b)(1). Defendant appeared by filing a motion to dismiss on January 15, 2021. Docket No. 5. Despite an explicit order already issued in this case, this discovery plan then repeats the same mistake of the previous discovery plan by purporting to calculate the discovery period from a later date on which the answer was filed. *See* Docket No. 20 at 2;<sup>1</sup> *but see* Docket No. 18 at 1 n.1. To repeat, the discovery cutoff must be measured from the "date the first defendant answered *or otherwise appeared*." Local Rule 26-1(b)(1) (emphasis added). Lastly, because the parties are seeking a discovery period beyond the presumptively reasonable period of 180 days measured from the Defendant's first appearance, they must comply with the requirements for special scheduling review. Local Rule 26-1(a). Accordingly, the pending propose discovery plan is **DENIED**. An amended discovery plan that complies with the local rules must be filed by April 28, 2021.

<sup>1</sup> Although the discovery plan states that the parties seek a discovery cutoff calculated at 181 days from the date of the answer, Docket No. 20 at 2, the math is way off. The answer date is March 10, 2021, Docket No. 16, so 181 days therefrom would be September 7, 2021. Nonetheless, the discovery plan states that 181 days from the answer date is October 23, 2021.

1 The filing of a proposed discovery plan pursuant to the local rules should be an easy task.  
2 To the extent counsel are unfamiliar with the local rules of this Court, they must immediately  
3 familiarize themselves with those rules. Counsel must also carefully review the orders that are  
4 issued and comply with them. Counsel must also carefully review their filings with the Court for  
5 both factual and legal accuracy.

6 IT IS SO ORDERED.

7 Dated: April 22, 2021

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Nancy J. Koppe  
United States Magistrate Judge